

City Council Special Called Work Session Meeting Transcript – 08/23/2016

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[9:18:30 am]

>> mayor adler: okay.

We have a quorum now so we are going to call to order the austin city council special called meeting.

Today is august 23rd, 2016.

It is 9:18.

Good morning, sir.

For the record for people who are watching, because we get asked this question, we are not considering the concept menu today as part of this work session.

We will be considering it tomorrow.

And as soon as we have a critical mass of people tomorrow at the budget work session, we're going to turn from the briefings to handle the concept menu, which we'll go through both to see if there are items we want to take off, but to give us a first chance to discuss items as council would want to see to do that.

This morning is the special called meeting to discuss the interim and permanent manager position.

Dr. Washington, before we go from here to executive session, did you want to lay out a timeline for the

>> sure.

>> mayor adler: we're going to do this real briefly.

We have about 10 minutes we have literally 10 minutes to make it back into the executive session room so this is going to go pretty fast.

>> why is that?

>> mayor adler: because as we discussed earlier, we wanted to be in executive session here today, so we're going to so mark, why don't you hand that out.

Okay?

You had said that you wanted to discuss and i had asked you to kind of lay out for us what a timeline might look like so that people can see a timeline that involved a national search and also community engagement.

Can you walk us through this?

[9:20:45 am]

>> i will.

Thank you, mayor.

And with me this morning is Joya Hayes, who will help us through the document. What is being passed around is a two-page document, one that talks briefly about some considerations for the process, and the other is just a framework for a timeline that certainly is subject to change depending upon decisions that are made by the council. But what I'd like to do is begin with some of the broad questions and then walk through what some of the potential milestones might look like in a recruitment process. So the first major decision is obviously with the departure of our city manager to make a decision on who will provide interim leadership while the search process is strategy is being formulated and commenced. And your decision to have that discussion in executive session as you said before. Once that decision is made, staff will need direction on how to obtain direction from the council in making decisions relative to the appointment. The city manager is an appointee of the council so we will need to know as we continue to come to decision points in the process do we get direction from the council as a whole or will the council designate a person or persons to provide some perspective to the staff or will there be other kind of engagement from community? And those things really need to be decided upfront, but ultimately what the council cannot do is delegate its decision-making authority. They are the ones that are ultimately responsible, obviously, for hiring, determining salary and benefits, but can get some feedback from others during the process. Another key critical component will be the use of expert resources, and for city manager searches, particularly cities our size. Most cities engage in consulting services from a search firm and so we will be looking for some perspective from the council on how do we make that engagement occur. We certainly have done executive searches quite frequently in this organization. There are a list of firms that we have used that have delivered us some pretty successful and high-qualified candidates.

[9:22:30 am]

We have a rotation list, but we could also go out and solicit proposals to the market both from firms that we've used in the past as well as other firms who might be interested in helping the council through this process and evaluate those proposals and then come back with a recommendation to the council as to who we might recommend, and the council would approve of in assisting and providing those consulting services.

As we do engage through this process, the timeline to fill the position, we shared last week that we're looking minimally six to nine months, but depending on the amount of engagement and other decisions, that may be more, may be less, but the more engagement, more than likely it will elongate the time.

And we had some discussion last week regarding the need for both transparency to the public and this is a very important position that the whole community has its eyes on, but also balancing that need for transparency with confidentiality of the applicants, particularly earlier on, that some people may be putting their jobs at risk if they're exposed too early in the process to the public and they are leaving other communities.

So Ms. Hayes will walk you through a sample timeline.

As I mentioned earlier, that's certainly subject to change and perhaps even will change once you get additional perspectives from the search firm that may be engaged.

>> thank you, Dr. Washington.

In the handout that we've provided you, you will see a sample timeline that takes into consideration much of what dr. Washington has already shared with you.

And it includes some of the questions in terms of process that were asked during the last week's meeting.

So as you look at this, we would begin now with the conversation relative to the selection of an interim city manager and then we'll be going forward with discussing the desired executive search and the process for which this council would like to follow.

With dr. Washington said, if this council were to choose to select to go out for a competitive bid for a search firm to allow you an opportunity to scope exactly what you're looking for in such firms we would have an opportunity to create that and solicit that in september.

Once we've had that opportunity to go through that process, we would evaluate recommendations for executive search firms, approve an executive search firm and then facilitate meetings with the search firm council or designated group depending on how this council decides to move forward to discuss key components to the process to include the timelines, the actual recruitment process, the community engagement.

At what level you would like to have it, identify strategies to create the actual candidate profile, which is actually what is going to be used.

Several of you have had an 31 your committees and hr for the development of profiles to present that as a document to advertise what we're looking for in our key candidates.

[9:24:45 am]

We also want to make sure we have an opportunity to include any possible public meetings or one on one interviews that we could have with the councilmembers to truly get an understanding of what your expectation is relative to the ideal candidates.

In november we could potentially move forward with finalizing the search firm's profile and the process that this council will obtain relative to the advertisement and the overall recruitment.

And then we would actually move forward with that recruitment, allowing us an opportunity and for the search firm an opportunity to obtain candidates.

And in january ending that recruitment process and bringing forth to this council or potential group the qualified potential candidates based on the search firm's review and top candidates in preliminary actual interviews could be conducted.

And then the search firm would conduct reference checks and background checks based on those type candidates.

In february we could potentially come back with a top five to 10 candidates and also conducting the first round of interviews for the semifinalists based on your feedback to that point, with top finalists coming maybe three to five candidates potentially, in march.

In april council possibly identifying their top candidate and appointment based on site visit that could potentially be done in april for you to see the potential communities of those for which are your top candidates if that is something this council would select to do.

And finalize that decision in and around the april time period with appointment of a potential city manager in and around may.

>> mayor adler: yes, ms. Pool?

>> pool: so then this would tentatively and possibly have a new city manager starting in the june time frame, depending on that's the one piece that you have that staff begins onboarding, relocation and transition.

>> yes.

Typically we've got someone relocating we provide them some opportunity for transition.

So once the council appoints we may also take into consideration some time in transition to allow the new city manager to transition into the role, depending upon where they're coming from.

>> but practically speaking it may be months after appointment before they arrive and formally giving notice to their employer.

It looks like we're right around the budget process with some other communities, so perhaps there may be other matters to consider in transition.

>> pool: right.

I was thinking that too, that you make a job offer and if that person hasn't made any preliminary arrangements where he or she is currently working, then there would need to be a time for that person to close up shop there in order to move, but i guess that would all kind of work out depending on where we were at that point.

One other thing, there was a paper that you attached from the city county management association. Did you all happen to have an opportunity to print out any copies of that for us maybe that we could look at today?

[9:26:30 am]

>> we can certainly get you copies.

Hard copies of that.

>> pool: i started reading it, but my phone is kind of small.

But thank you.

I appreciate that.

And thanks for trying to help us with a framework for timing and that looks very doable.

Thank you.

>> mayor adler: okay.

Any further discussion in those are just possible layouts so people could see kind of the time that it takes.

Having had this discussion and these issues we had talked about going back in executive session.

So without objection

>> zimmerman: mr. Mayor, sorry, i have one question or one comment on this.

On part 2 about staff direction and feedback from city council, i think we should take this very seriously. Your option number a, the council as a whole.

[9:28:50 am]

This is obviously the most important and most powerful position in city government.

And i don't want to see city council delegate the authority that we have as elected council to make sure that this is our the most important thing that we do.

It's the only hire that we make.

There are many places where it makes sense for us to delegate.

This is not one of them.

We need to be on top of all the feedback here and the direction to staff and the recruitment firms for what we're looking for.

So that's what i would like to see.

>> mayor adler: okay.

>> houston: mayor?

>> mayor adler: yes, ms. Houston?

>> houston: councilmember zimmerman, i think you meant at this level.

Because we do have responsibility for other staff, okay?

But at this level it's the highest one we have to do.

>> mayor adler: any other thing before we go back?

All right.

The city council will now go into closed session to take up one item, pursuant to section 551.074 of the government code, the council will discuss the following item: item 3, the appointment and duties of an interim city manager.

Without an objection, we will go back.

Hearing no objection, the council will now go into executive session.

I anticipate that we will probably be in executive session until probably almost between 11:30 and noon, in that time frame.

Dr. Washington, thank you.

Joya.

[executive session].

[9:31:30 am]

[1:07:50 pm]

>> mayor adler: all right, council.

We are out of closed session.

In closed congestion session we took up and discussed personnel matters related to item number 3.

We're now back out here.

So this morning dr. Washington laid out a page that had two sides to it.

One side of the page indicated some questions that we needed to answer.

He wants to talk to us more at length about the search firm aspect of that.

It contained a kind of timeline.

The mayor pro tem and i handed out something to you that i'll post on the bulletin board here as soon as we leave here that's called elements of engagement, which is one possible execution raising some issues of what a permanent search process might be.

We're going to set a time on monday and tuesday of next week for us to be able to talk in executive session about interim manager.

Also set a public session for monday and tuesday to talk about permanent process so we can advance that conversation.

So both those things will be posted monday and tuesday.

And then i'll post them for potential action on thursday, not knowing whether there will actually be any kind of action for us to take next thursday, but i'll give us a place holder that we can always pull down next week if we want to.

Dr. Washington, joya, did you want to talk to us about anything in particular?

>> thank you, mayor.

I think the one thing we want to be mindful of is to where we can have parallel swim lanes and things going on concurrently.

And one of the things as a council begins putting up deliberating on the interim, we can begin soliciting proposals for an executive search firm so that we're not delaying that step further.

And that's just getting the qualifications from any firm that has done business in the past or would like to do business, we could work with our purchasing officer to announce that solicitation and begin the proposals.

And whomever the council would liaison with in terms of either making a decision as a council as a whole or designee, the proposals would already be in.
Staff could begin evaluating them and then make a recommendation for whomever might advise the council, whether it's a community group or count themselves, on the search firm.
But we think that we can go ahead and begin that process.
It doesn't require a council vote.
Staff has the ability to go ahead and begin getting those proposals.

[1:09:45 pm]

>> mayor adler: when you initiate that process, are you at that point establishing any measure of filter with respect to what kind of search firm is involved?
>> i think we would initiate it with the understanding that the council would expect there will be community engagement.
We don't have to define the level because that's part of their work to come in and scope with the
>> mayor adler: i'm not talking about the permanent process.
I'm talking about the actual selection of the search firm.
So if you were to initiate the actual selection of the search firm, do you pick a search firm that routinely handles city manager positions, do you solicit from executive search firms?
Or are you making any decisions about what kind of search firm you're seeking?
That's the question i'm asking.
Councilmember kitchen.
>> kitchen: i think related to that, i think what's the scope of work you do an rfp, right?
>> what's the scope of work and the criteria qualifications that you put into the rfp?
I think that's the question.
Those of your filters.
>> mayor adler: for the rfp company, yes, for the search company.
>> kitchen: the rfp for the search company, what scope of work you put in there and what criteria you have in terms of qualifications of the firms, those would be the filters.
Would they not?
>> yes.
So the scope would be to provide consultation services on the recruitment and selection for chief executive officer.
Some of the qualifications or things that we would outline in the scope, as i was alluding to earlier, is that we would let them know that there's an expectation for community engagement.
And we would not eliminate or make preferences of one kind of firm over another if they had particular public experience or not working in the public sector, but if you you would have to disclose the amount of community engagement that's expected because a private a search firm that is used to working with an executive board of directors in private is not used to that kind of public and community engagement.
So we would scope that out.
>> kitchen: probably when they respond to you, do you typically do these on how do you pay them?
Is it just an hourly basis or do you pay them a max amount?
In other words, to what extent do they have to scope how much work it's going to take them in responding to the rfp?
>> yeah.
They would scope the consultation services, travel and expenses are in addition to that, but it would be based on the amount of engagement and travel that they could expect.

>> kitchen: so they have to have an estimate of how much engage meant and how much public engagement you have directs how much.

[1:11:30 pm]

>> yes.

But typically they will provide a quote for their service and then say that is a cost in additional travel and expenses are separate for that.

So the amount of time that you have them coming back and forth is just a matter of cost recovery.

>> mayor adler: okay.

Yes, ms. Houston.

>> houston: mr. Washington, do you have an example of what the scope of work has looked like in the past when we've hired other city managers?

>> from the last city manager we can pull the actual agreement from the search firm that we've had and i'll let ms. Hayes respond to that.

>> we've already sought out the opportunity to find the actual contract from the search firm that we had.

As soon as we have some information we can provide it to you.

>> houston: would you forward that to us also so that we can take a look at that?

Because i think that we would have some baseline for where we start and then if we want to add additional scopes, then we can.

>> mayor adler: i think that's a good point.

Ms. Kitchen?

>> kitchen: i'd also be well, i guess when you provide this we'll see this.

I'm very interested in what the qualifications are because i think that that can really set that could set the range of people that respond.

So whenever you send that over, that's the part i want to look at is how much experience are we asking for for this firm to have and what kinds of experience?

And do you ask them for the names of the people that are going to be involved and their backgrounds?

So that's the kind of thing.

>> mayor adler: okay.

Yes.

[1:13:45 pm]

>> zimmerman: mr. Mayor, thank you.

I want to point out something that a pattern i've seen in the last year and a half.

This new 10 1 council was homework and it was a statement by was historic and it was a statement by our community that we weren't happy with business as usual and we switched to a 10 1 system.

What i've observed in the last year and a half is this remarkable tendency that any time there's a very, very important decision to make, like the new city manager or like what are the priorities going to be in the budget, the first thing that happens is staff creates so called community outreach.

And that overlooks the fact that the community voted for a city council that's supposed to represent them and to help make decisions.

So if the reflex is to every time there's an important decision to make, like what kind of city manager should we be looking for, the automatic reaction is to go back to the community, i think our community could say, well then why do we vote?

Why do we have a city council if the city council doesn't take some authority and move the process forward, talk about what we want to have in on new city manager?

Do we want changes in the city culture?

What are the metrics we'd like to pursue?

So i would love for us to spend some time on that and represent our constituents.

We have very different constituencies, but we're elected to speak for our communities.

And i want us to speak when it comes to this extremely important topic of who the next city manager should be and what those requirements ought to be.

And i think it should start with do we want another career government employer who has worked in government for decades or do we want somebody with a blend of experience public private or do we want to go to the private sector and look for a vice president or some former ceo that's worked in customer service, for instance?

So that's the kind of high level discussion that i'd like to have our council take up as elected representatives.

[1:15:50 pm]

>> mayor adler: okay.

So i'm going to set us for a workforce session on monday, both executive session and out of executive session, to talk about personnel matters not only in the executive session, but process out of executive session both with respect to interim and permanent.

I'll set that for both monday or tuesday.

I'll put a placeholder on for thursday for action in case we're getting to this place and we can have this conversation.

And i will post for the community to see what the mayor pro tem and i just handed out as a place to use to start discussion.

That in conjunction with what mr. Washington dr. Washington and joya handed out to us this morning. Can you email what you handed out this morning to everybody as well?

>> absolutely.

>> mayor adler: that would be helpful.

Any further conversation for us to have on the dais here today?

>> just thank you.

>> mayor adler: that being the case, thank you, both of you, for your help here.

I adjourn this work session.

[1:17:30 pm]